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September 29, 2010

Via ECF

Honorable Justice Marilyn D. Go
United States Magistrate Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: Pastoriza v. United States of America, et al.
Index No.: CV 10-2196 (DGT) (MDG)

Honorable Justice Go:

This firm represents the plaintiff concerning the above referenced matter.

Pursuant to the Order Governing Initial Conference and Required Disclosure in this matter, I wish to respectfully advise the Court that defendants Artenios Marinakis and Volmar Construction, Inc., the driver and owner, respectively, of one of the vehicles involved in the accident that is the subject matter of this action, have not appeared.

Both defendants were served with the summons and complaint on May 17, 2010, and I am in possession of the affidavits of service. I have since left several phone messages with the apparent handling adjuster at Nationwide Insurance Company, the insurer of these defendants, but have received no response. I have also forwarded a copy of the aforementioned Order to the defendants and Nationwide, and advised them that an initial conference in this matter is scheduled on October 5, 2010, at 11:00 a.m., but I received no acknowledgment of same.

Please contact me if you have any questions. Thank you.

Very truly yours,

/s/

Ezra Holczer (EH1762)

EH:sk

cc: Timothy D. Lynch, Esq.